

HOUSE No. 189

By Mr. Walsh of Boston, petition of Martin J. Walsh and others relative to granting creditable service for retirement purposes for part-time faculty of institutions of higher education. Public Service.

The Commonwealth of Massachusetts

PETITION OF:

Martin J. Walsh
Michael F. Rush

Brian P. Wallace
Richard T. Moore

In the Year Two Thousand and Five.

AN ACT RELATIVE TO VESTING AND ACCUMULATING CREDITABLE SERVICE
IN THE STATE RETIREMENT SYSTEM FOR PART-TIME FACULTY TEACHING
IN THE COMMONWEALTH'S INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 3(2)(d) of Chapter 32, as appearing in the
2 2002 Official Edition, is amended by adding the following new
3 paragraph:
4 For purposes of this section and notwithstanding the provisions
5 of this chapter or any other general or special law, rule or regula-
6 tion to the contrary, any faculty who teach the equivalent of at
7 least two three credit courses per semester or four three or more-
8 credit courses per calendar year at one or more state higher educa-
9 tion institution, including a division of continuing education,
10 regardless of funding source, including but not limited to sub-
11 sidiary account CC, shall be considered an employee eligible for
12 membership in the state employees retirement system and shall
13 earn creditable service for such time.

1 SECTION 2. Section 4(2)(b) of Chapter 32, as appearing in the
2 2002 Official Edition, is amended by inserting the following in
3 line 382 after the word “membership,”:

4 provided, that in the case of any faculty employed at one or
5 more state higher education institution, the Board shall credit as at
6 least one-half year of service, actual service teaching the equiva-
7 lent of at least four three- credit courses per calendar year,

1 SECTION 3. Section 4(2)(c) of Chapter 32, as appearing in the
2 2002 Official Edition, is amended by adding the following para-
3 graph:

4 For faculty employed at one or more state higher education
5 institution, the Board, in accordance with the provisions of this
6 section, shall allow credit for any previous period of service
7 equivalent to teaching at least four three- credit courses per cal-
8 endar year at one or more state higher education institution,
9 including a division of continuing education, regardless of
10 funding source, including but not limited to subsidiary account
11 CC.

1 SECTION 4. Section 1 of Chapter 32, as appearing in the 2002
2 Official Edition, is amended by inserting the following sentence in
3 line 405 after the word “fund”:

4 In the case of part-time faculty employed at one or more state
5 higher education institution, the full salary and wages received for
6 teaching credit courses at one or more state higher education insti-
7 tution, including a division of continuing education, regardless of
8 funding source, including but not limited to subsidiary account
9 CC, shall be regarded as regular compensation and shall be
10 included in the salary on which deductions are to be paid to the
11 annuity savings fund.

1 SECTION 5. Section 5(1)(m) of Chapter 32, as appearing in the
2 2002 Official Edition, is amended by adding the following para-
3 graph:

4 However, notwithstanding any provision of this chapter to the
5 contrary, any part-time faculty employed at one or more state
6 higher education institution, whose employment first commenced
7 on or after January first, nineteen hundred and seventy-eight, and

8 who has not completed five or more years of creditable service
9 before the termination of his employment, shall on the termination
10 of his employment be entitled to a return of his accumulated
11 deductions. Such return of said accumulated deductions shall be
12 in lieu of any superannuation retirement allowance provided under
13 this chapter.